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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to: Mail Stop RCE, Commissioner for Patents, Box 1450, Alexandria, Virginia 22313-1450

Application No. 09/461,158  
Filing Date December 14, 1999  
First Named Inventor Anne E. Miller  
Art Unit 1765  
Examiner Name Mackey, Terrence M.  
Attorney Docket No. 42390.P6958

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction sheet for RCEs (not to be submitted to the USPTO).

1. **Submission required under 37 C.F.R. § 1.114**
  - a. ☐ Previously submitted
    - i. ☐ Consider the amendment(s)/reply under 37. C.F.R. § 1.116 previously filed on \_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
    - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_
    - iii. ☐ Other \_\_\_\_\_
  - b. ☒ Enclosed
    - i. ☒ Preliminary Amendment/Reply
    - ii. ☐ Affidavit(s)/Declaration(s)
    - iii. ☐ Information Disclosure Statement (IDS)
    - iv. ☐ Other \_\_\_\_\_
2. **Miscellaneous**
  - a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) required)
  - b. ☐ Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.
  - a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. \_\_\_\_\_
    - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
    - ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
    - iii. ☐ Processing fee under 37 CFR § 1.17(i) for Limited Suspension of Action
    - iv. ☐ Other \_\_\_\_\_
  - b. ☒ Checks in the amounts of \$ 750.00 and 110.00 are enclosed
  - c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Heather M. Molleur Registration No. (Attorney/Agent) 50,432  
Signature Heather Molleur Date 8/8/2003

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

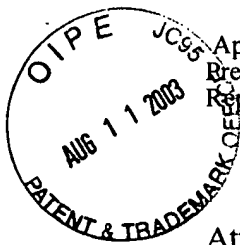
Name (Print/Type) Claire Wallters  
Signature Claire Wallters Date 8/8/2003

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01 FC:1601

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08/12/2003 JADB01 00000095 09461150  
02 FC:1251



Application No. 09/461,158  
Prelim. Amdt. dated August 8, 2003  
Reply to Final Office Action of April 8, 2003

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Attorney's Docket No.: 42390.P6958

Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:

Anne E. Miller et al.

U.S. Serial No: 09/461,158

Filed: December 14, 1999

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Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Examiner: Mackey, Terrence M.

Art Unit: 1765

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**PRELIMINARY AMENDMENT**

Dear Sir:

This is in response to the Final Office Action mailed April 8, 2003. Applicant respectfully requests the Examiner to consider the following remarks.

**FIRST CLASS CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on August 8, 2003

Date of Deposit

Claire Wallters

Name of Person Mailing Correspondence

*Claire Wallters*  
Signature

8/8/2003  
Date